

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X Civil Action No. 1:24-cv-02823-HG
GINNA QUINAYAS and NORMA VILLANUEVA,
on behalf of herself and others similarly situated,

Plaintiff,

JUDGMENT BY CLERK

-v.-

SMART TORTILLA LLC
(DBA SMART TORTILLA - SER VALIENTE),
and CARLOS IVAN REYES, individually,

Defendants.

-----X

On April 16, 2024, this action was commenced by Plaintiff GINNA QUINAYAS' filing of the complaint. (ECF No. 1), Plaintiff NORMA VILLANUEVA joined the action and agreed to act as a representative of others similarly situated by Consent Notice dated April 25, 2024 (ECF No. 8). Defendants SMART TORTILLA LLC (DBA SMART TORTILLA - SER VALIENTE), and CARLOS IVAN REYES having been duly served with process and a copy of the Complaint in the above-captioned action; and default having been entered against said Defendants, pursuant to R. 55(a) for failure to answer, plead or otherwise defend within the time period allowed by the rules of this Court; and the Plaintiffs GINNA QUINAYAS and NORMA VILLANUEVA having filed affidavits setting forth the particular statement of the items of their respective claims, the amounts and dates, a calculation in figures of the amount of interest, the payments or credits, if any, and the net amount due; it is

ORDERED and ADJUDGED that final judgment is hereby entered in favor of Plaintiffs GINNA QUINAYAS and NORMA VILLANUEVA and against Defendants SMART TORTILLA LLC (DBA SMART TORTILLA - SER VALIENTE), and CARLOS

IVAN REYES as follows:

(A) Judgment in favor of Plaintiff GINNA QUINAYAS and against Defendants SMART TORTILLA LLC (DBA SMART TORTILLA - SER VALIENTE), and CARLOS IVAN REYES in the amount of **\$64,406.96**, including compensatory damages and permissible liquidated damages, with prejudgment interest of 9% thereon in the amount of **\$5,796.63** and disbursements of this action in the amount of **\$570.00**, for a total of **\$70,773.59**; and

(B) Judgement in favor of Plaintiff NORMA VILLANUEVA and against Defendants SMART TORTILLA LLC (DBA SMART TORTILLA - SER VALIENTE), and CARLOS IVAN REYES in the amount of **\$35,920.00** including compensatory damages and permissible liquidated damages, with prejudgment interest of 9% thereon in the amount of **\$3,232.80** for a total of **\$39,152.80**

That if any amounts remain unpaid upon the expiration of ninety days following issuance of judgment, or ninety days after expiration of the time to appeal and no appeal is then pending, whichever is later, the total amount of judgment shall automatically increase by fifteen percent, as required by NYLL § 198(4).

Dated: New York, New York
April __, 2025

Daniel Ortiz, Acting Clerk of Court

by: _____
Deputy Clerk

To:
SMART TORTILLA LLC
(DBA SMART TORTILLA - SER VALIENTE)

Defendant
25 Buena Vista Avenue 2nd Floor
Lawrence, NY 11559

CARLOS IVAN REYES
Defendant
5 Jasper Street
Valley Stream, New York 11580

CARLOS IVAN REYES
Defendant
84-05 108TH Street Apt E4
Richmond Hills, New York 11418